

MAGISTRATE'S CRIMINAL MINUTES

ARRAIGNMENT
PLEA AND
SENTENCETime in Court: _____ Hrs 15 MinFiled in Open Court: Date: 3/22 /2021 Time: 10:00 Tape: ~~FILE~~ ZoomMagistrate (presiding): Christopher C. Bly Deputy Clerk: James JarvisCase Number: 3:21-cr-4 Defendant's Name: Robert PurbeckAUSA: Mike Herskowitz + Nathan Defendant's Attorney: Andrew HallUSPO/PTR: Richens Type Counsel: (☒) Retained () CJA () FPD

ARREST DATE: _____

INTERPRETER: _____

INITIAL APPEARANCE HEARING. () In THIS DISTRICT Dft in custody? () Yes () No

☒ Defendant advised of right to counsel. () WAIVER OF COUNSEL filed.

ORDER appointing Federal Defender Program as counsel. () INITIAL APPEARANCE ONLY.

ORDER appointing _____ as counsel.

ORDER giving defendant _____ days to employ counsel (cc: served by Mag CRD)

Dft to pay attorney fees as follows: _____

INFORMATION/COMPLAINT filed. _____ WAIVER OF INDICTMENT filed.

☒ Copy indictment/information given to dft? (X) Yes () No Read to dft? () Yes () No (X) Prior to Hrg

CONSENT TO TRIAL BEFORE MAGISTRATE (Misd / Petty) offense filed.

☒ ARRAIGNMENT HELD. (☒ Indictment / information () Dft's WAIVER of appearance filed.

Arraignment continued to _____ at _____ Request of () Govt () Dft

Dft failed to appear for arraignment. Bench warrant issued _____

☒ Dft enters PLEA OF NOT GUILTY. () Dft stood mute; plea of NOT GUILTY entered. () Waiver of appearance.

MOTION TO CHANGE PLEA, and order allowing same.

☒ ASSIGNED TO JUDGE TCB for () trial () arraignment/sentence.☒ ASSIGNED TO MAGISTRATE RGV for pretrial proceedings.☒ Estimated trial time: _____ days. () SHORT (☒ MEDIUM () LONG

PRE-SENTENCE INVESTIGATION filed. Referred to USPO for PSI and continued

until _____ at _____ for sentencing.

Order

Pursuant to the Due Process Protections Act, *see* Fed. R. Crim. P. 5(f), the government is directed to adhere to the disclosure obligations set forth in *Brady v. Maryland*, 373 U.S. 83 (1963), and its progeny, and to provide all materials and information that are arguably favorable to the defendant in compliance with its obligations under *Brady*; *Giglio v. United States*, 405 U.S. 150 (1972); and their progeny. Exculpatory material as defined in *Brady* and *Kyles v. Whitley*, 514 U.S. 419, 434 (1995), shall be provided sufficiently in advance of trial to allow a defendant to use it effectively, and exculpatory information is not limited to information that would constitute admissible evidence.

The failure of the government to comply with its *Brady* obligations in a timely manner may result in serious consequences, including, but not limited to, the suppression or exclusion of evidence, the dismissal of some or all counts, adverse jury instructions, contempt proceedings, or other remedies that are just under the circumstances.